

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

OFFSHORE SPECIALTY FABRICATORS,
LLC,

Debtor.

Case No. 17-35623

Chapter 11

DAVID WEINHOFER as Liquidating
Trustee of the OFFSHORE SPECIALTY
FABRICATORS, LLC LIQUIDATING
TRUST,

Plaintiff,

v.

J.A.H. ENTERPRISES, INC. d/b/a
Henderson Auctions,

Defendant.

Ad. Proc. No.: 20-03444

**ORDER GRANTING LIQUIDATING TRUSTEE'S UNOPPOSED MOTION FOR
VOLUNTARY DISMISSAL WITH PREJUDICE**

Relating to ECF No. []

The Court, having considered the *Liquidating Trustee's Unopposed Motion For Voluntary Dismissal With Prejudice* (the "Motion"),¹ any responses to the Motion, the statements of counsel, and the record in this case, finds that: (a) it has jurisdiction over this matter pursuant to 28 U.S.C. § 1334; (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (c) the relief requested in the Motion is in the best interests of the Debtor's estate, its creditors, and other parties-in-interest;

¹ Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

(d) proper and adequate notice of the Motion has been given and no other or further notice is necessary; and (e) good and sufficient cause exists to grant the relief requested. Therefore, the Court HEREBY FINDS and ORDERS the following:²

1. Adversary Proceeding No. 20-03444 is dismissed with prejudice.
2. This Order shall not be deemed as res judicata, collateral estoppel, or for any other purpose, (i) an admission of any liability by Henderson or the Trustee, or any of their employees, professionals, agents, or assigns, (ii) a determination of damages relating in any way to Davie Shoring, Inc.'s non-payment for the Module in connection with the May 2018 auction, or (iii) a cap on any damages that may be assessed against Davie Shoring, Inc. in any litigation between the Trustee and Davie Shoring, Inc.
3. This Court shall retain non-exclusive jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.

Dated: _____, 2021

HONORABLE MARVIN ISGUR
UNITED STATES BANKRUPTCY JUDGE

² Each finding of fact more appropriately considered a conclusion of law is so deemed; each conclusion of law more appropriately considered a finding of fact is so deemed.